

C1
heating the carbon material under a condition of scraping off the surface of the produced
graphite powder; and

heating the carbon material in an inert gas at a temperature exceeding 800°C.

Sub 23
REMARKS

This Preliminary Amendment is being submitted simultaneously with a continued prosecution application pursuant to 37 C.F.R. 1.53(d) for the above-identified patent application in response to the Final Office Action dated February 5, 2001 and Advisory Action dated May 10, 2001.

In the Advisory Action, the Patent Office asserted that it was unclear as to "how the boron got there". In response, Applicants have amended Claims 4 and 5. A marked-up copy of the amendments indicating underlining for added text and bracketing for deleted text is attached hereto in the Appendix.

As amended, Claims 4 and 5 each recite that a boron compound is added to the carbon material prior to graphization. Applicants respectfully submit that amended Claims 4 and 5 are clearly defined as supported in the Specification on page 20.

Accordingly, Applicants respectfully request early and favorable action on the merits in view of same.

Respectfully submitted,

Thomas C. Basso

Thomas C. Basso (Reg. No. 46,541)
BELL, BOYD & LLOYD LLC
P.O. Box 1135
Chicago, Illinois 60690-1135
(312) 807-4310
ATTORNEY FOR APPLICANTS



APPENDIX

Marked-Up Copy of Amendments

Please amend Claims 4 and 5 as follows:

4. (Thrice Amended) A method for producing a graphite powder containing an amount of boron according to claim 1 comprising:

pulverizing a carbon material at an elevated speed before and/or after carbonization; and [is]
heat-treating[ed] the carbon material at a temperature exceeding 1500°C for graphization
wherein a boron compound is added to the carbon material prior to graphization.

5. (Thrice Amended) A method for producing a graphite powder containing an amount of boron according to claim 1 comprising:

pulverizing a carbon material before and/or after carbonization; [is]
heat-treating[ed] the carbon material at a temperature exceeding 1500°C for graphization
wherein a boron compound is added to the carbon material prior to graphization;

heating the carbon material under a condition of scraping off the surface of the produced graphite powder; and

heating the carbon material in an inert gas at a temperature exceeding 800°C.